(3)

C.S. 1602

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. NO. 3030 **/2004**

PETITIONER : M/s. Mahajan Brothers
(Decree Holder) Partnership Firm Registered
Through :- Partner Madhav Rao
S/o. Shri Govindrao Mahajan
Aged about 67 years
R/o. Plot No. M-16 Vasant
Nagar Nagpur-22 (Maharastra)

P.R. No. 30/4/04
Presented by Shri V.G. Tamaskar
Adv.

VERSUS

RESPONDENTS:

1. Hon'ble District Judge
Bilaspur (C.G.)
2. Judgment Debtor M/s. Derolion
Solvent Product
Registered-Office Old-Sarkanda
Bilaspur (C.G.)
3. Shri Manoj Agrawal
S/o. Shri Mahabir Prasad
Agrawal, aged 40 years,
Managing Director
M/s. Derolion Solvent Product
R/o. Old Sarkanda Bilaspur
(C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONERS**
As set-out in the cause title above.

2. **PARTICULARS OF THE RESPONDENTS**
As set-out in the cause title above.

For MAHAJAN BROS.
Partner

(50)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 3080 **सन्** 200 4

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17-8-2005 Heard Shri V.G. Tamaskar, counsel for the petitioner. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India. The main grievance of the petitioner is that a decree to the tune of Rs.26,78,485.85 NP was passed against the respondents No.2 and 3 by 7th Civil Judge (Senior Division) Nagpur (Maharashtra) in civil suit No.717/95 (M/s Mahajan Brothers Vs. M/s Derolion Solvent Product Private Limited and another). The same was transferred to the Court of District Judge, Bilaspur on 7-7-96 and the same was registered as transferred decree No.1/96 (M/s Mahajan Brothers Partnership Firm Vs. M/s Derolion Solvent Private Limited and another). Since then, execution case is pending. On 22-8-96, warrant of attachment of immovable property was issued by the District Judge, Bilaspur and thereafter, the matter is being adjourned, and the execution case is not progressing. On the last date of hearing i.e. 21-9-2004 comments of the District Judge, Bilaspur were called. Learned District Judge has not explained about the delay in execution. The comments, which have been sent by learned District Judge make no sense. I fail to understand that how such a reply has been sent by learned District Judge. However, leaving apart the same, this Court is constrained to	

(51)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	observe that execution case is pending since 1996 without making any progress in the matter. In the circumstances, learned District Judge is directed to decide execution case within a period of 6 months, in accordance with law. If the execution case is not decided within the stipulated time, then the petitioner will be at liberty to approach this Court again. With the direction aforesaid, the writ petition is disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

(पीछे देखिये)